| UNITED STATES DISTRICT<br>SOUTHERN DISTRICT OF N | EW YORK         |                             |
|--|-----------------|-----------------------------|
| UNITED STATES OF AMERI                           |                 | NOTICE OF MOTION            |
| -against-  |                 | NOTICE OF MOTION            |
| DAVID DELVA                                      | Defendant.<br>X | Ind. No.<br>12 Cr 802 (KBF) |
|  | X               |                             |

PLEASE TAKE NOTICE, that upon the Accompanying Memorandum of Law, the Exhibits annexed thereto, and all prior pleadings and proceedings, Defendant DAVID DELVA will move the United States District Court for the Southern District of New York, 500 Pearl St., New York, New York, on a date and time to be set by the Court or as soon thereafter as counsel can be heard for an Order granting the Defendant's motion under FRCP 29 for Judgment of Acquittal, and for any other relief the Court deems just and appropriate.

Dated: Great Neck, New York December 16, 2014

SIR/MADAM:

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TO: AUSA Justina Geraci AUSA Ryan Poscablo